

### **REMARKS**

Claims 14, 26, 27 and 29-36 are pending in the above-identified application. Claims 14, 26, 27 and 29-36 were rejected. Accordingly, claims 14, 26, 27 and 29-36 are at issue.

A.) Rejection of claims 14, 26, 27, 29-32, 34, and 36 under 35 U.S.C. §103(a) as being unpatentable over *Hatta, et al. (Hatta)* in view of JP 01320769 (JP '769):

Applicant respectfully disagrees with the rejection.

The present application was filed in the U.S. on December 4, 2003, and claims foreign priority to Japanese application 2000-081860 filed March 17, 2000. Therefore, Applicants' present application has an effective filing date of at least as early as March 17, 2000 based on Japanese application 2000-081860. Applicants submit separately herefrom a translated copy of Applicants' Japanese priority application 2000-081860. A signed certificate for the translation will follow within the next few days.

Applicant's present application has an effective filing date of at least as early as March 17, 2000 based on Japanese application 2000-081860. This is prior to *Hatta's* PCT publication date of May 11, 2000. Accordingly, *Hatta* cannot be used as a 35 U.S.C. §102 reference to anticipate Applicants' claimed invention.

Therefore, *Hatta* in view of JP '769 fails to disclose or suggest claims 14, 26, 27, 29-32, 34, and 36.

Applicants respectfully submit the rejection has been overcome and request that it be withdrawn.

- B.) Rejection of claims 33 and 35 under 35 U.S.C. §103(a) as being unpatentable over *Hatta, et al.* in view of *JP '769* and further in view of *JP 11140209 (JP '209)*:

Applicant respectfully disagrees with the rejection.

The present application was filed in the U.S. on December 4, 2003, and claims foreign priority to Japanese application 2000-081860 filed March 17, 2000. Therefore, Applicants' present application has an effective filing date of at least as early as March 17, 2000 based on Japanese application 2000-081860. Applicants submit separately herefrom a translated copy of Applicants' Japanese priority application 2000-081860. A signed certificate for the translation will follow within the next few days.

Applicant's present application has an effective filing date of at least as early as March 17, 2000 based on Japanese application 2000-081860. This is prior to *Hatta*'s PCT publication date of May 11, 2000. Accordingly, *Hatta* cannot be used as a 35 U.S.C. §102 reference to anticipate Applicants' claimed invention.

Therefore, *Hatta* in view of *JP '769* and *JP '209* cannot render obvious claims 33 and 35.

Applicant respectfully submits the rejection has been overcome and requests that it be withdrawn.

- C.) Comment on claim to priority:

As noted in the specification and declaration, the present application claims priority to Japanese application no. JP 2000-081860. A translation has been submitted in this application. Applicant will submit a certification of this translation separately herefrom.

JP 2000-081860 has a filing date of March 17, 2000. Accordingly, the present application has an effective filing date of March 17, 2000, which precedes *Hatta*'s U.S. filing date.

- D.) Claims 14, 26, 27, and 29-36 are otherwise allowable:

Applicant respectfully acknowledges the Examiner's finding of allowable subject matter in claims 14, 26, 27, and 29-36. As stated above, these claims are allowable over the cited art.

**Conclusion**

In view of the above amendments and remarks, Applicant submits that all claims are allowable over the cited prior art, and respectfully requests early and favorable notification to that effect.

Respectfully submitted,

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